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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/862,390 | 05/21/2001 | Andrew D. Padawer | 50037.26US1 | 8902 |

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| EXAMINER |
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PESIN, BORIS M

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| ART UNIT | PAPER NUMBER |
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2174

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/862,390

Applicant(s)

PADAWER ET AL.

Examiner

Boris Pesin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 6, 7, 11, 12, 15, 17, 21, 22, 26, 27 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6, 7, 11, 12, 15, 17, 21, 22, 26, 27 and 31-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 05/23/2005.

Claims 1, 2, 6, 7, 11, 12, 15, 17, 21, 22, 26, 27 and 31-33 are pending in this application. Claims 1, 11, 21 and 31-33 are independent claims. In the amendment filed 05/23/2005, Claims 1, 11, 21 and 31-33 were amended. This action is made Non-Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 2, 6, 7, 11, 12, 15, 17, 21, 22, 26, 27 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over McInerney (US 6727923) in view of Kalish et al. (US 6842612).

In regards to claim 1, McInerney teaches a method comprising providing a shortcut data store configurable to contain shortcuts to a plurality of targets, wherein the shortcut data store comprises more than one type of target (column 2, lines 1-21, *i.e.* – *URL and text shortcuts* and column 4, lines 21-30, *i.e.* – *email shortcut*) and monitoring a user's input to the electronic device (column 2, lines 25-28). McInerney does not teach that the electronic device is a mobile device. Furthermore McInerney does teach determining whether the user's input is a shortcut input but does not teach wherein the shortcut input comprises a tag that identifies information in a data store; if the user's input is a shortcut input, determining a target of the user's input, wherein the target corresponds to the tag; executing the shortcut using the information identified by the tag corresponding to the target, wherein the shortcut is mapped to a predetermined state of an application associated with the determined target and the determined target is one of the plurality of targets; and accessing the application at the predetermined state. Kalish teaches a mobile device that determines whether the user's input is a shortcut input, wherein the shortcut input comprises a tag that identifies information in a data store (Figure 5, "Detecting prefix code..."); if the user's input is a shortcut input, determining a target of the user's input, wherein the target corresponds to the tag (Figure 5, "Selecting respective URL address from URL database according URL code"); and executing the shortcut using the information identified by the tag corresponding to the target (Figure 5,

"Cellular phone browser downloads page content"), wherein the shortcut is mapped to a predetermined state of an application associated with the determined target (Figure 5, "Cellular phone browser downloads page content") and the determined target is one of the plurality of targets; and accessing the application at the predetermined state (Figure 5, "Cellular phone browser displays page content"). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify McInerney with the teachings of Kalish and include a mobile device that determines a shortcut input and activates the appropriate application with the motivation to provide the user an efficient Internet access utility (Kalish, Column 2, Line 15).

In regards to claim 2, McInerney and Kalish teach all the limitations of claim 1. McInerney further teaches a method wherein the types of targets include at least one selected from a group comprising: telephone numbers, email address, uniform resource locator (URL), and contact cards (McInerney, column 2, lines 18-20).

In regards to claim 6, McInerney and Kalish teach all the limitations of claim 1. McInerney further teaches a method wherein the shortcut input comprises more than one type (McInerney, column 1, lines 26-42, *i.e. – input using a menu or an icon*).

In regards to claim 7, McInerney and Kalish teach all the limitations of claim 6. McInerney further teaches a method wherein the types of shortcut input include at least one selected from a group comprising: a speed dial input, a voice input, a menu item selection input, and an icon selection input (McInerney, column 7, lines 60-67).

Claims 11, 12, 16, and 17 are similar in scope to claims 1, 2, 6, 7, respectively, and are therefore rejected under similar rationale.

Claims 21, 22, 26, and 27 are similar in scope to claims 1, 2, 6, 7, respectively, and are therefore rejected under similar rationale.

Claims 31-33 are similar in scope to claim 1 and are therefore rejected under similar rationale.

Response to Arguments

Applicant's arguments filed 05/23/2005 have been fully considered but they are not persuasive.

The Applicant argues that McInerney and Kalish do not teach that a shortcut is mapped to a predetermined state of an application associated with the determined target and the determined target is one of the plurality of targets; and accessing the application at the predetermined state. The Examiner respectfully disagrees. In Kalish the predetermined state is determined during the download phase. After the downloading has completed, the content is displayed on the screen.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BP

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